COPY OF TREATY No. 4

AND

SUPPLEMENTARY TREATY

MADE 15TH AND 21ST SEPTEMBER, 1874,

BETWEEN

HER MAJESTY THE QUEEN

AND THE

CREE AND SAULTEAUX TRIBES OF INDIANS

AT

QU'APPELLE AND FORT ELLICE.

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TREATY No. 4.

ARTICLES OF A TREATY made and concluded this fifteenth day of September, in the year of Our Lord One thousand eight hundred and seventy-four, between HER MOST GRACIOUS MAJESTY THE QUEEN *of Great Britain and Ireland, by Her Commissioners, the Honorable* ALEXANDER MORRIS, *Lieutenant-Governor of the Province of Manitoba and the North-West Territories, the Honorable* DAVID LAIRD, *Minister of the Interior, and* WILLIAM JOSEPH CHRISTIE, ESQ., *of Brockville, Ontario, of the one part; and the Cree, Saulteaux and other Indians, inhabitants of the territory within the limits hereinafter defined and described, by their Chiefs and headmen, chosen and named as hereniafter mentioned, of the other part;—*

WHEREAS, the Indians, inhabiting the said territory have, pursuant to an appointment made by the said Commissioners, been convened at a meeting at Qu'Appelle Lakes, to deliberate upon certain matters of interest to Her Most Gracious Majesty, of the one part, and the said Indians of the other:

AND WHEREAS, the said Indians have been notified and informed, by Her Majesty's said Commissioners, that it is the desire of Her Majesty to open up for settlement, immigration, trade, and such other purposes as to Her Majesty may seem meet, a tract of country bounded and described as hereinafter mentioned; and to obtain the consent thereto of Her Indian subjects inhabiting the said tract; and to make a treaty and arrange with them so that there may be peace and good-will between them and Her Majesty, and between them and Her Majesty's other subjects; and that Her Indian People may know and be assured of what allowance they are to count upon and receive from Her Majesty's bounty and benevolence;

And whereas, the Indians of the said tract, duly convened in Councils as aforesaid, and being requested by Her Majesty's said Commissioners to name certain Chiefs and headmen who should be authorized on their behalf to conduct such negotiations, and sign any treaty to be founded thereon, and to become responsible to Her Majety for their faithful performance by their recpective Bands of such obligations as shall be assumed by them, the said Indians have thereupon named the following persons for that purpose, that is to say: Ka-ki-shi-way, or "Loud Voice" (Qu'Appelle River), Pis-qua or "the Plain" (Leech Lake), Kea-wez-auce or "the Little Boy" (Leech Lake), Ka-kee-na-wup, or "One that sits like an Eagle" (Upper Qu'Appelle Lakes), Kus-kee-tew-mus-coo-mus-qua or "Little Black Bear" (Cypress Hills), Ka-ne-on-us-ka-tew or "One that walks on four claws" (Little Touchwood Hills), Can-ah-ha-cha-pew or "Making ready the Bow" (South side of the south branch of the Saskatchewan), Kii-si-can-ah-chuck or "Day Star," (south side of the south branch of the Saskatchewan) Ka-wa-ca-toose or "The Poor), Man" (Touchwood Hills and Qu'Appelle Lakes), Ka-ku-wis-ta-haw or "Him that flies round" (Towards the Cypress Hills), Cha-ca-chas (Qu'Appelle River), Wah-pii-moose-too-siis or "White Calf" or "Pus-coos," (Qu'Appelle River,) Gabriel Cote or Mee-may, or "The Pigeon" (Fort Pelly);—

And thereupon in open council the different Bands having presented the men of their choice to the said Commissioners as the Chiefs and headmen for the purpose aforesaid of the respective Bands of Indians inhabiting the said district hereinafter described;

And whereas, the said Commissioners have proceeded to negotiate a Treaty with the said Indians, and the same has been finally agreed upon and concluded as follows, that is to say:—

The Cree and Saulteaux tribes of Indians, and all other the Indians inhabiting the district hereinafter described and defined, do hereby cede, release, surrender and yield up to the Government of the Dominion of Canada for Her Majesty the Queen and Her successors for ever, all their rights, titles and privileges whatsoever to the lands included within the following limits, that is to say:—

Commencing at a point on the United States' frontier due south of the north-western point of the Moose Mountains, thence due north to said point of said Mountains, thence in a north-easterly course to a point two miles due west of Fort Ellice, thence in a line parallel with, and two miles westward from the Assininboine River to the mouth of the Shell River, thence parallel to the said river, and two miles distant therefrom, to its source; thence in a straight line to a point on the western shore of Lake Winnipigoosis due west from the most northern extremity of Waterhen Lake, thence east to the centre of Lake Winnipigoosis, thence northwardly through the middle of the said lake (including Birch Island) to the mouth of Red Deer River, thence westwardly and south-westwardly along and including the said Red Deer River and its lakes, Red Deer and Etoimami to the source of its western branch, thence in a straight line to the source of the northern branch of the Qu' Appelle, thence along and incluing said streams to the Forks near Long Lake, thence along and including the valley of the west Branch of the Qu'Appelle to the south Saskatchewan; thence along and including said river to the mouth of Maple Creek; thence southwardly along said creek to a point opposite the western extremity of the Cypress Hills; thence due south to the International Boundary; thence east along the said boundary to the place of commencement. Also all their rights, titles and privileges whatsoever to all other lands wheresoever situated within Her Majesty's North-West Territories, or any of them, TO HAVE AND TO HOLD the same to Her Majesty the Queen and Her successors for ever.

And Her Majesty the Queen hereby agrees, through the said Commissioners, to assign reserves for said Indians, such Reserves to be selected by officers of Her Majesty's Government of the Dominion of Canada appointed for that purpose, after conference with each band of the Indians, and to be of sufficient area to allow one square mile for each family of five, or in that proportion for larger or smaller families.

PROVIDED, however, that it be understood that if, at the time of the selection of any reserves as aforesaid there are any settlers within the bounds of the lands reserved for any band, Her Majesty retains the right to deal with such settlers as she shall deem just, so as not to diminish the extent of lands allotted to the Indians; and provided further that the aforesaid Reserves of Land, or any part thereof, or any interest or right therein, or appurtenant thereto, may be sold, leased or otherwise disposed of by the said Government for the use and benefit of the said Indians, with the consent of the Indians entitled thereto first had and obtained; but in no wise shall the said Indians, or any of them, be entitled to sell or otherwise alienate any of the lands allotted to them as Reserves.

In view of the satisfaction with which the Queen views the ready response which Her Majesty's Indian subjects have accorded to the invitation of Her said Commissioners to meet them on this occasion; and also in token of their general good conduct and behavior, she hereby, through Her Commissoners, makes the Indians of the Bands here reprsented, a present:—For each Chief, of twenty-five dollars in cash, a coat, and a Queen's silver medal; for each head-man, not exceeding four in each Band, fifteen dollars in cash, and a coat; and for every other man, woman and child, twelve dollars in cash; and for those here assembled some powder, shot, blankets, calicoes, trouds and other articles.

As soon as possible after the execution of this Treaty, Her Majesty shall cause a census to be taken of all the Indians inhabiting the tract hereinbefore described, and shall next year, and annually afterwards, forever, cause to be paid, in cash, at some suitable season to be duly notified.to the Indians, and at a plase or places to be appointed for that purpose within the Territory ceded: each Chief, twenty-five dollars; each head-man, not exceeding four to a Band, fifteen dollars; and to every other Indian, man, woman and child, five dollars per head; such payment to be made to the heads of famlies for those belonging thereto, unless for some special reason, it be found objectionable.

Her Majesty also agrees that each Chief, and each head-man, not to exceed four in each Band, once in every three years during the term of their office, shall receive a suitable suit of clothing, and that yearly and every year, she will cause to be distributed among the different Bands included in the limits of this Treaty, powder, shot, ball and twine, in all to the value of seven hundred and fifty dollars; and each Chief shall receive hereafter, in recognition of the closing of the Treaty, a suitable flag.

It is further agreed between Her Majesty and the said Indians that the following articles shall be supplied to any Band thereof who are now actually cultivating the soil, or who shall hereafter settle on these Reserves and commence to break up the land, that is to say—two hoes, one spade, one Scythe, and one axe for every family so actually cultivating; and enough seed, wheat, barley, oats and potatoes to plant such lands as they have broken up; also one plough and two harrows for every ten families so cultivating as aforesaid; and also to each Chief, for the use of his Band as aforesaid, one yoke of oxen, one bull, four cows, a chest of ordinary carpenter's tools, five hand-saws, five augers, one cross-cut saw, one pit saw, the necessary files, and one grind-stone; all the aforesaid articles to be given once for all, for the encouragement of the practice of agriculture among the Indians.

FURTHER, Her Majesty agrees to maintain a school in the Reserve, allotted to each Band, as soon as they settle on said Reserve, and are prepared for a teacher. Further, Her Majesty agrees that within the boundary of the Indian Reserves, until otherwise determined by the Government of the Dominion of Canada, no intoxicating liquor shall be allowed to be introduced or sold; and all laws now in force, or hereafter to be enacted to preserve Her Indian subjects inhabiting the Reserves, or living elsewhere within the North-West Territories, from the evil effects of intoxicating liquors shall be strictly enforced.

And further, Her Majesty agrees that her said Indians shall have right to pursue their avocations of hunting, trapping and fishing throughout the tract surrendered, subject to such regulations as may from time to time be made by the Government of the country acting under the authority of Her Majesty, and saving and excepting such tracts as may be required or taken up from time to time for settlement, mining, or other purposes under grant, or other right given by Her Majesty's said Government.

It it further agreed between Her Majesty and Her said Indian subjects that such sections of the Reserve above indicated as may at any time be required for public works or buildings, of whatever nature, may be appropriated for that purpose by Her Majesty's Government of the Dominion of Canada, due compensation being made to the Indians for the value of any improvements thereon, and an equivalent in land or money for the area of the Reserve so appropriated.

And the undersigned Chiefs and headmen on their own behalf, and on behalf of all other Indians inhabiting the tract within ceded, do hereby solmenly promise and engage to strictly observe this Treaty, and also to conduct and behave themseles as good and loyal subjects of Her Majesty the Queen.

They promise and engage that they will, in all respects, obey and abide by the law: that they will maintain peace and good order between each other, and between themselves and other Tribes of Indians, and between themselves and others of Her

Majesty's subjects, whether Indians, Half-breeds or Whites, now inhabiting, or hereafter to inhabit, any part of the said ceded tract; and that they will not molest the person or property of any inhabitant of such ceded tract, or the property of Her Majesty the Queen, or interfere with or trouble any person passing or travelling through the said tract or any part thereof: and that they will assist the officers of Her Majesty in bringing to justice and punishment any Indian offending against the stipulations of this treaty, or infringing the laws in force in the country so ceded.

IN WITNESS WHEREOF, Her Majesty's said Commissioners, and the said Indian Chiefs and headmen, have hereunto subscribed and set their hands at Qu'Appelle, this day and year herein first-above written.

Signed by the Chiefs and Headmen within named in presence of the following witnesses, the same having being first read and explained by CHARLES PRATT:

W. OSBORNE SMITH, C. M. G.,
Lieut.-Col., D. A. G.,
Commanding Dominion Forces in North-West.

PASCAL BRELAND.

EDWARD MCKAY.

CHARLES PRATT.

PIERRE POITRAS.

his
BAPTIST + DAVIS.
mark

his
PIERRE + DENOMME.
mark

JOSEPH MCKAY.

DONALD MCDONALD.

ALEXANDER MORRIS,
Lieutenant-Governor of the North-West Territories.

DAVID LAIRD,
Indian Commissioner.

WILLIAM J. CHRISTIE.

his
KA-KII-SHI-WAY, +
mark.

his
PIS-QUA, +
mark.

KA-WE-ZAUCE.

his
KA-KEE-NA-WUP, +
mark.

his
KUS-KEE-TEW-MUS-COO-MUSQUA, +
mark.

his
KA-NE-ON-US-KA-TEW, +
mark.

his
CAN-AH-HA-CHA-PEW, +
mark.

his
KII-SI-CAW-AH-CHUCK, ✓
mark.

his
KA-RA-CA-TOOSE, +
mark.

his
KA-KII-NIS-TA-HAW, +
mark.

his
CHA-CA-CHAS, ×
mark.

A. McDonald,
Captain Prov. Batt. Infantry.

G. W. W. Street,
Ensign Prov. Batt. Infantry.

Alfred Codd, M.D.,
Surgeon Prov. Batt Infantry.

W. M. Herchmer.
Captain.

C. de Cauzes,
Ensign.

Jos. Poitron.

M. G. Dickieson,
Private Secretary of the Minister of the Interior.

Peter Lapierre.

Helen H. McLean.

Flora Garrioch.

John Cotton,
Lieutenant Canadian Artillery.

John Allan,
Lieutenant Prov. Batt. Infantry.

his
Wa-pii-moose-too-sus, + mark.

h
Gabriel Cote, or Mee-May, + mark.

We, members of the Saulteaux tribe of Indians, having had communication of the Treaty hereto annexed, made on the 15th day of September instant, between Her Majesty the Queen and the Cree and Saulteaux Indians and other Indians at Qu'Appelle Lakes, but not having been present at the Councils held at the Qu'Appelle Lakes between Her Majesty's Commissioners and the several Indian Chiefs and others therein named, at which the articles of the said treaty were agreed upon, hereby for ourselves and the Band which we represent, in consideration of the provisions of the said Treaty having extended to us and the said Band which we represent, transfer, surrender and relinquish to Her Majesty the Queen, Her Heirs and Successors to and for the use of Her Government of Her Dominion of Canada, all our right, title and privileges whatsoever which we and the said Band which were present have held or

enjoy of, in, and to the territory described and fully set out in the said articles of treaty and every part thereof; also, all our right, title, and privileges whatsoever to all other lands wherever situated, whether within the limit of any treaty formely made, or hereafter to be made, with the Saulteaux tribe or any other tribe of Indians inhabiting Her Majesty's North-West territories, or any of them, to have and to hold the same unto and to the use of Her said Majesty the Queen, Her Heirs and Successors forever.

And we hereby agree to accept the several provisions, payment and Reserves of the said Treaty, signed at the Qu'Appelle Lakes as therein stated, and solemnly promise, and engage to abide by, carry out and fulfil all the stipulations, obligations aad conditions therein contained, on the part of the said chiefs and Indians therein named to be observed and performed, and in all things to conform to the articles of the said Treaty as if we ourselves and the Band which we represent had been originally contracting parties thereto, and had been present and attached our signatures to the said treaty.

In witness whereof, Her Majesty's said Commissioners and the said Indian chief and headman, have hereunto subscribed and set their hands at Fort Ellice this twenty-first day of September, in the year of Our Lord one thousand eight hundred and seventy-four.

Signed by the parties hereto in the presence of the undersigned witnesses, the same having been first explained to the Indians by Joseph ROBILLARD.

ARCH. MCDONALD.
GEORGE FLETT.
A. MAXWELL.
DAVID ARMIT.
HENRY MCKAY.
ELLEN MCDONALD.
MARY ARMIT.

ALEXANDER MORRIS,
Lieutenant-Governor of the North West Territories.
DAVID LAIRD,
Indian Commissioner.
W. J. CHRISTIE,
Indian Commissioner.
WA-WA-SE-CAPOW,
Or, The man proud of standing upright.
his
+
mark.
OTA-MA-KOO-EWIN,
Or, Shapous-e-tung's first son—The man who stands on the earth.
his
+
mark.